

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Case No.: 0:22-cv-02665-DWF-ECW**

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Computer Forensic Services, Inc., and 360  
Security Services, LLC,

Plaintiffs,

vs.

**MOTION FOR PRELIMINARY  
INJUNCTION**

BraunHagey & Borden LLC,

Defendant,

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Defendant BraunHagey & Borden LLP (incorrectly sued as BraunHagey & Borden LLC) (BHB) in the above-named case hereby moves the United States District Court, District of Minnesota to order Plaintiffs to:

1. Return all devices of BHB's clients—which Plaintiffs improperly withheld and threatened to destroy—within seven days of the date of this order;
2. Return all data, documents, and information of BHB's clients—which Plaintiffs improperly withheld and threatened to destroy—within seven days of the date for this order; and
3. Preserve all data, documents, and information related to Plaintiffs' engagement with BHB, including all communications and billing records.

BHB's Motion should be granted because:

1. Plaintiffs' denial of access to the data and devices, and threatened destruction of the devices, and the abuse of the data and devices to extort exorbitant fees, is irreparable to BHB and the class plaintiffs because this violates their right and need to control their evidence in the *Spectrum* litigation.
2. The balance of harms supports BHB and the class plaintiffs because Plaintiffs are denying their right and need to control their evidence in the *Spectrum* litigation, while Plaintiffs would merely be stymied in its ability to continue fraudulently invoicing "hosting fees" that are orders of magnitude greater than the cost of preserving the data and devices.
3. BHB and the class plaintiffs have easily shown that they have at least a fair chance of prevailing on at least one of their 10 counterclaims against Plaintiffs.

4. The public's interest in allowing attorneys and litigants to access the civil-justice system unencumbered by third parties denying the ability to do so, trumps whatever interest Plaintiffs have in being paid for computer-processing time and live-hosting fees, at the expense of the law firms and litigants who retain them.

This Motion is based upon the attached Memorandum of Law, Declarations of R. Fisher, B. Kenny, and K. Hanlon, and all of the files, records, and proceedings herein.

Respectfully submitted,

HELLMUTH & JOHNSON

Dated: November 8, 2022

By: /s/ Brendan M. Kenny

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